

Statement of Alvin R. Wilson, Jr. regarding his nomination by
Governor Dannel P. Malloy to the position of Human Rights Referee

Executive and Legislative Nominations Committee
April 8, 2014

Good afternoon Senator Looney, Representative Janowski, Senator Fasano, Representative Camillo, and distinguished members of the Executive and Legislative Nominations Committee. My name is Alvin R. Wilson, Jr. As I stated two years ago, when I appeared before this committee, I have had the pleasure of working with many of you on a variety of issues, since the mid-1990's. I thank you for your reconsideration of my nomination as a human rights referee.

I would like to thank Governor Malloy for nominating me for a second term. I truly appreciate the opportunity that he has given me and the confidence that he has shown. The last two and one-half years have not only been intellectually challenging and stimulating, but also professionally and personally fulfilling. I can truthfully say that I love this job.

I also must thank my three colleagues in the Office of Public Hearings ("OPH") – Referee Ellen Bromley, Referee Michele Mount, and our Administrative Assistant, Kimberly Morris. It is a pleasure to work with each of them. Unfortunately for us, our colleague Ellen has other opportunities available to her, closer to her home in Stamford, and has not sought to be reappointed. I am happy for her, but certainly she will be missed.

Instead of recounting much of what I included in the statement that I submitted to this committee in March 2012, when you first considered by nomination, I have attached a copy of that statement to this one. It provides what I consider salient information about my background, which I believe is useful for you to consider in, once again, assessing my qualifications for this position. And, I understand that a copy of my resume has been provided to the committee. Of course, I am happy to answer any questions that you have regarding my previous statement or my resume.

Instead of focusing on my background, I think that, given the last two and one-half years of experience in this position, it would be beneficial to provide the committee with a brief description of what the human rights referees have accomplished during that time period.

Generally speaking, we are responsible for the adjudication of discrimination (employment, housing, and public accommodation) cases pursuant to the Connecticut Fair Employment Practices Act (Conn. Gen. Stat. 46a-51, et seq.) and Whistleblower Retaliation Cases ("WBR") (Conn. Gen. Stat. section 4-61dd), and the respective set of regulations that governs each of these substantively distinct areas of the law. Furthermore, both types of cases are deemed to be contested cases under and are

governed by Connecticut Uniform Administrative Procedures Act (Conn. Gen. Stat. section 4-166, et seq.).

Unlike discrimination cases, that come to the Office of Public Hearings for a de novo hearing, only after being filed with the Commission on Human Rights and Opportunities ("CHRO") for investigation and mediation if possible, Whistleblower Retaliation ("WBR") cases are filed directly with the Chief Human Rights Referee. The Commission has no role in these cases.

The vast majority of the OPH docket consists of discrimination cases. Since December 2011, our docket has consisted of 305 discrimination cases, compared to 40 WBR cases. (Each referee has been assigned approximately 102 discrimination cases). Of those 305 cases, 185 have been closed.

For most of the closed cases, 115 of 185, the parties reached a negotiated stipulated agreement. These settlements may have been reached after a human rights referee convened and mediated settlement discussions, but often times, the parties, with or without the participation of the commission's legal counsel, may reach a settlement and, subsequently, seek dismissal of the case.

The balance of these cases, were closed for a variety of reasons: for example, final decision after public hearing; motion to dismiss granted; decertification; and release of jurisdiction.

The OPH has commenced public hearings in 16 cases. A final decision has been issued in 4 of those matters. Of the remaining 12, the respective presiding referee has received the post-hearing briefs in 5 of the cases and a final decision is pending. In two other cases, the parties are scheduled to file post-hearing briefs in the next few months. Three cases have had a number of hearing days, but have additional dates scheduled in the future. In two of the cases, the parties reached a settlement after a few days of public hearings.

Regarding the WBR matters, approximately 90 cases have been filed with the OPH. Of these, upon review, approximately 40 of these complaints contained allegations that qualified the matter under the WBR law. (Many of these complaints did not concern entities that are covered by the law. As Chief Human Rights Referee, I communicated to each of these complainants what the law authorizes. They are directed to review the law and, if appropriate, to amend their complaint and to timely file it again with OPH.)

I appreciate the opportunity to respond to any questions that you may have, including those regarding the operation of our office.

Thank you again for considering my reappointment. I am excited about the opportunity to continue serving the citizens of the state of Connecticut in this important capacity.